

Regular Meeting

The regular meeting of the City Council of the City of Fitchburg was held in the Memorial Middle School Library, 615 Rollstone St., Fitchburg, on February 16, 2016. The meeting was called to order by President Kushmerek at 7:20 P.M. The Clerk called the roll and ten (10) members were present. Councillor Tran was absent. The meeting opened with a salute to the Flag led by Councillor DiNatale.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

1. Letter of re-appointment - Ms. Cheryl Maguy-Stewart, 81 Legros St. as a member of the Human Rights Commission for a term to expire on February 1, 2019.

Communication

His Honor the Mayor

Letters of
Appointment



STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

The City of Fitchburg

Massachusetts FITCHBURG CITY CLERK
OFFICE OF THE MAYOR 16 FEB -8 10 21

AARON TOURIGNY
CHIEF OF STAFF
ATOURIGNY@FITCHBURGMA.GOV

JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

February 8, 2016

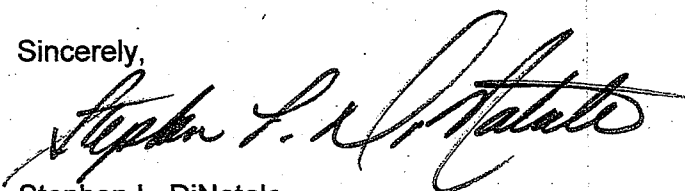
The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby reappoint and ask for your confirmation of Ms. Cheryl Maguy - Stewart of 81 Legros Street, Fitchburg, MA, as a member of the Human Rights Commission for a term to expire on February 1, 2019.

Please feel free to contact me with any questions.

Sincerely,


Stephen L. DiNatale
Mayor

City of Fitchburg, February 16, 2016

Communication

His Honor the Mayor

Letters of
Appointment

2. Letter of re-appointment - Ms. Marshal D. Haneisen,
460 High Rock Rd. as a member of the Disability
Commission for a term to expire on February 1, 2019.



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

FITCHBURG CITY CLERK

16 FEB -8 10 21

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February 5, 2016

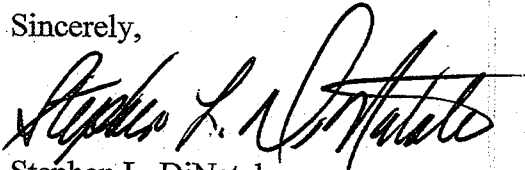
The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby reappoint and ask for your confirmation of Ms. Marshal D. Haneisen of 460 High Rock Road, Fitchburg, MA as a member of the Disability Commission for a term to expire on February 1, 2019.

Please feel free to contact me with any questions.

Sincerely,


Stephen L. DiNatale
Mayor

City of Fitchburg,

February 16, 2016

Communication

His Honor the Mayor

Letters of
Appointment

3. Letter of re-appointment - Ms. Maureen McSheehy, 250 Mt. Vernon St. as a member of the Council on Aging for a term to expire on January 1, 2019.



STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

The City of Fitchburg

Massachusetts
OFFICE OF THE MAYOR

FITCHBURG CITY CLERK

16 FEB -8 10 21

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February 8, 2016

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby reappoint and ask for your confirmation of Ms. Maureen McSheehy of 250 Mt. Vernon Street, Fitchburg, MA, as a member of the Council on Aging for a term to expire on January 1, 2019.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale
Mayor

Appointments read and referred to the Appointments Committee.

Reports of
Committees

Appointments
Committee

Oral Report

REPORTS OF COMMITTEES

APPOINTMENTS COMMITTEE - Oral Report
Meeting of February 16, 2016

The Appointments Committee recommended the following
Appointments be confirmed:

New Appointments:

Board of Library Trustees

Ms. Cynthia Jones, 245 River St. Apt. 132, Fitchburg
(Term to expire January 1, 2017)

Planning Board

Ms. Laura O'Kane, 83 Warren St., Fitchburg
(Term to expire January 1, 2018)

Re-Appointments:

Board of Library Trustees

Ms. Kim Cochrane, 11 Hillside Rd. Fitchburg
(Term to expire January 1, 2019)

Mr. Michael Phaneuf, 39 Shadow Drive, Fitchburg
(Term to expire January 1, 2019)

Ms. Margaret Snyder, 175 East St., Fitchburg
(Term to expire January 1, 2019)

Energy Commission

Ms. Jenna David, 90 Columbia Ave., Fitchburg
(Term to expire April 1, 2018)

Capital Improvement Commission

Mr. David Descoteaux, 47 Putnam Park, Fitchburg
(Term to expire January 1, 2019)

Board of Commissioners of Trust Funds

Mr. Robert Jokela, 143 Old Farm Road, Leominster
(Term to expire January 1, 2019)

Conservation Commission

Mr. Harris Karis, 205 Will Thompson Way, Fitchburg
(Term to expire January 1, 2019)

Ms. Tracy Betts Sarefield, 38 Rogers Ave., Fitchburg
(Term to expire January 1, 2018)

Mr. Thomas Starr, 244 High Rd., Fitchburg
(Term to expire January 1, 2018)

Mr. David Streb, 377 Highland Ave., Fitchburg
(Term to expire December 1, 2017)

Board of Health

Ms. Sandra Knipe, 12 Dogwood Road South, Hubbardston
(Term to expire January 1, 2019)

Reports of
Committees

Appointments
Committee
Oral Report (cont)

Broker of Records

Mr. Allen Rome, 25 Harwood Terrace, Leominster
(Term to expire January 1, 2017)

Report accepted. Appointments confirmed by unanimous vote. 10
members present. Board consists of 11 members.

FINANCE COMMITTEE:

Finance Committee

The Finance Committee recommended the following ORDERS be
adopted:

- 15-16. ORDERED THAT: There be and hereby is transferred the
sum of THIRTY THOUSAND DOLLARS (\$30,000) to Water
Personal Services Overtime from Water Capital-Water
System Improvements.
- 16-16. ORDERED THAT: The City of Fitchburg hereby approves
the expenditure of funds from the MA Dept. of Public
Health Bureau of Substance Abuse for the FY16 First
Responder Narcan Grant in the approximate amount of
\$12,750.
- 17-16. ORDERED THAT: There be and hereby is appropriated the
sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000),
same to be charged against Available Funds and
credited to accounts as follows: \$40,000 to DPW-Snow
and Ice Personal Services Overtime and \$210,000 to
DPW-Snow and Ice Expenses.

Report read and accepted. Orders adopted by unanimous vote. 10
members present. Board consists of 11 members.
Orders signed by the Mayor February 18, 2016.

The Finance Committee recommended the following Petition be
granted:

- 22-16. Vincent Pusateri, II, City Solicitor to do the
following:
1. Establish an Order reallocating funds from the
Labor Negotiator Fund account to the Litigation and
Special Counsel Fund account;
 2. Authorize the Law Department to use said funds to
hire as special counsel Attorney William Trainor to
handle worker's compensation cases on behalf of the
City;
 3. Authorize the Law Department to use said funds to
hire as special counsel Attorney John Barrett to
continue the smooth transition of the Law Department
duties.

Report read and accepted. Petition granted by unanimous vote.
10 members present. Board consists of 11 members.

Reports of
Committees

Legislative Affairs
Committee

Oral Report

LEGISLATIVE AFFAIRS COMMITTEE - Oral Report
Meeting of February 16, 2016

The Legislative Affairs Committee recommended the following
ORDINANCE be given leave to withdraw:

- 253-2013. ORDINANCE: That Chapter 44, section 10 of the Code of the City of Fitchburg, under Positions Paid Annually, as most recently amended, be further amended by adding thereto:
School Committee Vice Chairperson and School Committee Member effective January 6, 2014:
School Committee Vice Chairperson \$5,000.00 (payable monthly)
School Committee Member \$4,500.00 (payable monthly)

Report accepted. Ordinance given leave to withdraw by unanimous vote. 10 members present. Board consists of 11 members.

PETITIONS

The Legislative Affairs Committee recommended the following
Petitions be given leave to withdraw:

- 46-2013. Councillor Jody Joseph and Councillor Nicholas Carbone and the Elm Street Neighborhood Association to institute a Property Registration Ordinance.
- 51-2014. Councillor Marcus DiNatale to amend Chapter 3 of the Fitchburg City Code to remove the Dept. of Finance and Administration and in its place the following: have Assessor and Auditor divisions become stand-alone departments reporting directly to the Mayor, and have a Dept. of the Treasury where the divisions of Information Technology and Purchasing report to the Treasurer and the Treasurer will report directly to the Mayor.
- 52-2014. Councillor Marcus DiNatale to amend Chapter 3 of the Fitchburg City Code to remove the Dept. of Human Services and in its place the following: The divisions of Seniors, Veterans, Library and Recreation now be stand-alone departments reporting directly to the Mayor.
- 176-2014. Councillors Marcus DiNatale and Amy Green to amend the Fitchburg City Code, where applicable, as outlined (Performance Evaluations).

Report accepted. Petitions given leave to withdraw by unanimous vote. 10 members present. Board consists of 11 members.

Reports of
CommitteesLegislative Affairs
Committee

Oral Report (cont)

The Legislative Affairs Committee recommended the following
Petition be granted:

138-2015. Samuel R. Blair, Chairman - Fitchburg Historical
Commission, to have the members of the Fitchburg
Historical Commission be designated as Special
Municipal employees as outlined.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body as follows:

The members of the Fitchburg Historical Commission, in light of the
Massachusetts Conflict of Interest Law, request they be designated by the City as
Special Municipal Employees, the better to satisfy the demands of the law while
safeguarding their freedom of action in their individual professional lives. The
members of the Commission believe that they meet the requirements for such
designation as defined in G.L. c.268A, as amended by c.194, Acts of 2011-268A:1
Definitions. Until such time as the city makes such a designation the members,
although uncompensated volunteers, are deemed to be Municipal Employees and
as such remain subject to all the strictures of the law regarding personal or
private employment.

Respectfully,



Samuel R. Blair

Chairman, Fitchburg Historical Commission

FITCHBURG CITY CLERK
15 JUN - 3 08 PM

Members: Keith Chenot
Donald Ostrowski
Martha Quirk
Susan Roetzer
Charles Sternaimolo
Stephen Twining

Report read and accepted. Petition granted by unanimous vote.
10 members present. Board consists of 11 members.

The Legislative Affairs Committee recommended the following
Petition be held in Committee:

241-2015. Councillor Angelo Bisol to change the current
Ordinance to reflect MGL Ch. 90 s. 51E: Create and
establish an Airport Commission for the City
consisting of five members plus the Mayor, the
President of the Council and the Commissioner of
Public Works, who shall be ex-officio members.

Report accepted. Petition held in Committee by unanimous vote.
10 members present. Board consists of 11 members.

The Legislative Affairs Committee recommended the following
Petitions be granted:

23-2016. Vincent Pusateri, II, City Solicitor to designate the
positions of City Solicitor and Assistant City
Solicitor as special municipal employee positions
under MGL Chapter 268A section 1(n).

24-2016. Vincent Pusateri, II, City Solicitor to designate the
positions of Airport Commissioners as special
municipal employee positions under MGL Chapter 268A
section 1(n).

Report accepted. Petitions granted by unanimous vote. 10
members present. Board consists of 11 members.

HEARINGS

13-2016. SPECIAL PERMIT PETITION: Mr. Robert Lemay to renovate
non-conforming building that has been abandoned or not
used for a period of more than two years at 148 Myrtle
Ave. Map 33, Block 124 Lot 0.

SPECIAL PERMIT APPLICATION
FROM THE
CITY OF FITCHBURG
CITY COUNCIL

FITCHBURG CITY CLERK

16 JAN 14 08 43

Permit Fee \$300.00

Instructions: Complete each section as required. Submit the original application
to the Office of the City Clerk.

1. Applicant Name: Robert Lemay
Mailing Address of Applicant: 73 Central St.
Fitchburg, Ma
01420

Telephone Number of Applicant: 978 764 6938

2. Address and Description of Property for which the Special Permit is being
requested:

148 Myrtle Ave.
Fitchburg, Ma.
01420

Fitchburg Assessor's

Map 33, Block 124, Lot 0

3. Owner of Property: FSOC ONE, LLC
73 Central St.
Fitchburg, Ma.
01420

4. Contact Person for Property: Robert Lemay
5. Telephone Number for Contact Person: 978 764 6938

Reports of
Committees

Legislative Affairs
Committee

Oral Report (cont)

Hearing
Special Permit
Petition #13-2016

Hearing (cont)

Special Permit
Petition #13-2016

6. Describe What you Intend to use the Property For:

It is our intention to continue to use the Residential building with its existing use. There will be no change of use.

7. Total Square Footage of Proposed Use: 5543.3 (SF)

8. Total Parking Required: EIGHT (8)

9. Total Parking Provided: EIGHT (8)

10. Municipal Services:

Please check as appropriate:

A. Project will tie in to City Sewer System; existing – active

B. Project will tie in to City Water Service; existing – active

C. Project will tie in to Storm Drainage System; NO.

11. Is this Special Permit for a Nursing Home, Truck/Bus Terminal, Research & Testing, Publishing and Printing, Light Manufacturing or Manufacturing?

NO.

12. If yes, ...

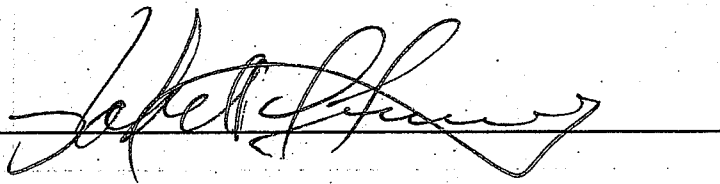
City of Fitchburg,

February 16, 2016

Hearing (cont)

Special Permit
Petition #13-2016

13. Signature of Applicant:



14. Print Name of Applicant:

Robert Lemay

Date:

January 14, 2016

Please note: This application will not be accepted unless ALL the requirements stated in the letter of determination by the Building Commissioner have been met.

DATE RECEIVED BY CITY CLERK

\$ 300

CK# 328

APPLICATION FEE RECEIVED

FITCHBURG CITY CLERK
16 JAN 14 08 43

Hearing (cont)
Special Permit
Petition #13-2016

1/13/2016

Unofficial Property Record Card

Unofficial Property Record Card - Fitchburg, MA

General Property Data

Parcel ID 33-124-0	Account Number
Prior Parcel ID -47.984-0.01416	Property Location 148 MYRTLE AV
Property Owner FANNIE MAE	Property Use APT 4-8
AKA FEDERAL NATL MORG ASSOC	Most Recent Sale Date 1/21/2015
Mailing Address P.O. BOX 650043	Legal Reference 8261-350
City DALLAS	Grantor MAXWELL, STEPHEN L. (TE),
Mailing State TX	Sale Price 40,200
Zip 75265-0043	Land Area 0.228 acres
ParcelZoning RB	

Current Property Assessment

Land Value 26,200	Building Value 115,000	Total Value 156,800
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Building Description

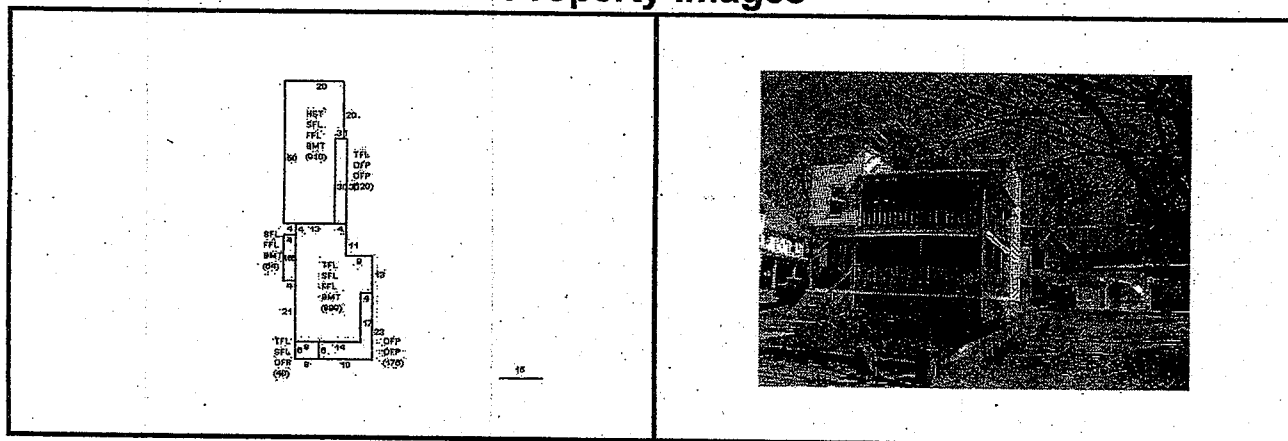
Building Style 4-8 FAM	Foundation Type MASONRY	Flooring Type SOFTWOOD
# of Living Units 4	Frame Type WOOD	Basement Floor N/A
Year Built 1910	Roof Structure GABLE	Heating Type STEAM
Building Grade AVERAGE	Roof Cover SLATE	Heating Fuel OIL
Building Condition Fair	Siding ALUMINUM	Air Conditioning 0%
Finished Area (SF) 5543.5	Interior Walls PLASTER	# of Bsmt Garages 0
Number Rooms 16	# of Bedrooms 8	# of Full Baths 4
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.228 acres of land mainly classified as APT 4-8 with a(n) 4-8 FAM style building, built about 1910 , having ALUMINUM exterior and SLATE roof cover, with 4 unit(s), 16 room(s), 8 bedroom(s), 4 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

City of Fitchburg, February 16, 2016

Hearing (cont)

Special Permit
Petition #13-2016



Fitchburg, Massachusetts
*Office of the
Building Commissioner*

ROBERT LANCIANI
Building Commissioner

JOHN J. MORAN SR.
Local Building Inspector

JOHN MORREALE
Local Building Inspector

KYLE RIDLEY
Inspector of Wires

WAYNE LITTLE
Plumbing/Gas Inspector

January 12, 2016

FSOC ONE, LLC
73 Central St.
Fitchburg, MA 01420

RE: Form of Intent for 148 Myrtle St, Map 33 Block 124 Lot 0

Dear Sirs;

I have reviewed your request for a zoning determination and my findings are as follows:

1. Land and building at 148 Myrtle St, Map 33 Block 124 Lot 0 are located in a Residential B District (Zoning Map of the City of Fitchburg and Chapter 181, Section 181.23 of the General Ordinances of Fitchburg as amended).
2. The existing house is a nonconforming building that has been abandoned or not used for a period of more than two years. The building has lost its protected status and is now subject to the provisions of the zoning ordinance, unless a special permit is issued pursuant to Section 181.3561. The required setbacks for RB are 25 front, 15 side, and 30 rear. **Applications for a Special Permit from the City Council are available at the City Clerk's office, 166 Boulder Drive.**
- 3 All renovations done to the existing building will require plans and specifications to show that code compliance is met under the Massachusetts State Building Code eighth edition before a building permit can be issued.

Very truly yours,

Robert Lanciani
Building Commissioner

Hearing (cont)

Special Permit
Petition #13-2016



Robert Lanciani
BUILDING COMMISSIONER

Fitchburg, Massachusetts
Office of the
Building Commissioner

FORM OF INTENT
Please Print Clearly

Fee: \$30.00

zoning District: _____
Map _____ Block _____ Lot _____

PRINT LEGIBLY THE FOLLOWING:

Name of Business:
Name of Owner: FSOC ONE, LLC
Location of Request: 148 Myrtle Ave.
Mailing Address: 73 Central St.,
Fitchburg, Ma . , 01420

Daytime Phone Number: 978 764 6938

Print a Complete Explanation about your Business or Intentions:

It is our intention to use said location, 148 Myrtle Ave., Fitchburg , as it has been used . A four family residential building.

Robert J. Lanciani
Print Name

[Signature]
Signature

Jan 7, 2016
Date

It is understood that the applicant is responsible for all costs incurred.

It is further understood that the applicant is responsible for all costs incurred.

City of Fitchburg, February 16, 2016



ROBERT LANCIANI
Building Commissioner

JOHN J. MORAN SR.
Local Building Inspector

JOHN MORREALE
Local Building Inspector

Fitchburg, Massachusetts

*Office of the
FITCHBURG CITY CLERK
Building Commissioner*

16 FEB -2 08 43

KYLE RIDLEY
Inspector of Wires

WAYNE LITTLE
Plumbing/Gas Inspector

February 2, 2016

City Council
166 Boulder Dr
Fitchburg, MA 01420

RE: Petition # 13-2016

Honorable Council Members;

It is the building departments recommendation to deny the Special Permit to reconstruct 148 Myrtle Ave, Map 33 Block 124 Lot 0 at this time. This building was vacated by the previous owner due to the large amount of code violations on the property.

During inspections of the property by the building department there were several deficiencies noted. These included work done without building permits that did not meet the minimum standards for code compliance. The open stairway on the right side of the building were found to be unsafe. The entire barn section of the building had been modified in an unsafe manner. Common areas did not have emergency lighting or exit signs. The entry doors did not have an entry buzzer system. During the inspection of the building the owners said they would be relocating the one tenant and vacating the building due to their inability or desire to repair the building.

Additionally the owner of this property FSOC One Inc., owns or controls several other buildings in the neighborhood that do not have current certificate's of inspection and may be operating as unregistered rooming houses.

If the Council decides to allow this building to be rehabilitated the building department recommends that conditions be placed on the permit. Our recommendations are:

1. The existing barn must be rebuilt to current building code, or removed before any units can be occupied.
2. The entire building shall have a fire protection system in compliance with the current building code before any units can be occupied.

City Hall, 166 Boulder Drive, Fitchburg, MA 01420 (978) 829-1880 Fax (978) 829-1963

Hearing (cont)

Special Permit
Petition #13-2016

Hearing (cont)

Special Permit
Petition #13-2016

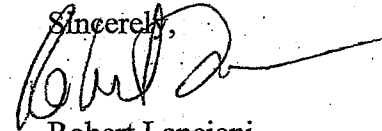
148 Myrtle Ave, Map 33 Block 124 Lot 0

February 2, 2016

3. The building shall be brought into compliance with the current building code before any units can be occupied.
4. All work being done must be done under Construction Control guidelines of the current building code.
5. A valid Certificate of Inspection must be received before any units can be occupied.
6. The owner must provide a copy of the lease agreement for all units of the building to show the building is being operated as a legal apartment building before any units can be occupied.

Thank you for considering the concerns of the building department in trying to assure that minimum standards for public safety are met if this project moves forward. If you have any questions please do not hesitate to contact me.

Sincerely,

Robert Lanciani
Building Commissioner

City of Fitchburg, February 16, 2016



**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**

166 Boulder Drive
Fitchburg MA 01420

Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
Police

Public Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk *AMF*

Subject: Special Permit Application (See Attached) Petition # 13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016

For your convenience, you may use the following space to respond:

X Approved as submitted *Taxpayer is tax compliant.*
____ Approved with modifications (Please attach list of suggested modifications)
____ Disapproved (Please attach list reasons)

Department Treasurer

by

Q. D. Bulo
(Signature)

Date: 1-20-16

Hearing (cont)

Special Permit
Petition #13-2016

16 JAN 20 10 21
FITCHBURG CITY CLERK

Hearing (cont)

Special Permit
Petition #13-2016



**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**

166 Boulder Drive
Fitchburg MA 01420

Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
Police

Public Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk

AMF

Subject: Special Permit Application (See Attached) Petition # 13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016

For your convenience, you may use the following space to respond:

☒

Approved as submitted

☐

Approved with modifications (Please attach list of suggested modifications)

☐

Disapproved (Please attach list reasons)

Department

Fire

by

Phil Jordan
(Signature)

Date:

1-20-16

City of Fitchburg, February 16, 2016



Fire Prevention Director
Lt. Phil Jordan

City of Fitchburg, Massachusetts
FIRE PREVENTION BUREAU

33 North Street
Fitchburg, MA 01420

978-345-9672
FAX: 978-345-9589

Name: City Clerk: Anna Farrell
Address: (Regarding 148 Myrtle Ave) Petition: 13-2016
Date: 01-20-16

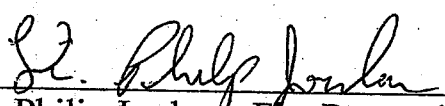
Dear Anna: After review of the Special Permit Application the Fitchburg Fire prevention Bureau has come to the determination that a 26F Inspection needs to be done through the Fitchburg Fire Prevention office.

Ma Chapter 148 (Section C): *Every dwelling, building or structure, occupied in whole or in part for residential purposes, shall upon sale or transfer of such dwelling, building or structure, be inspected by the head of the fire department for compliance*

The property seller regarding the special permit can contact Fire Prevention and schedule this appointment. The fee is commensurate with the amount of apartments in the building. If they have a bank loan, the banks require this permit on condition of sale due to the above State Law.

This appears to be a 4-8 family by the listing.

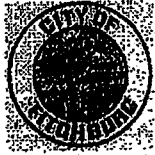
Thank You!


Lt. Philip Jordan - Fire Prevention Bureau

Hearing (cont)

Special Permit
Petition #13-2016

Hearing (cont)

Special Permit
Petition #13-2016**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**166 Boulder Drive
Fitchburg MA 01420Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
PolicePublic Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk

AMF

Subject: Special Permit Application (See Attached) Petition # 13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016

For your convenience, you may use the following space to respond:

☐

Approved as submitted

☐

Approved with modifications (Please attach list of suggested modifications)

☒

Disapproved (Please attach list reasons)

Department COMMUNITY DEV'T

by

(Signature)Date: 2-4-16

City of Fitchburg,

February 16, 2016

Hearing (cont)

Special Permit
Petition #13-2016

Attached Comments from the Community Development Department regarding Petition #13-2016

Upon review of the petition, the Community Development Department recommends that a Special Permit not be granted for the following reason(s):

- The Petition does not meet Special Permit Criteria 181.932 which specifies that special permits shall be granted only upon written determination that....***"the benefit to the city and the neighborhood outweigh the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site."***

Upon examination of the petition, it does not appear to meet the criteria of providing a benefit to the city or the neighborhood which would outweigh its adverse effects. In particular, we are concerned about the potentially adverse effect of allowing additional rental units in this neighborhood which currently has a surplus of such units. We note that the city continues to face increasing code enforcement and demolition costs in its response to widespread vacancy and/or abandonment of rental housing throughout the neighborhood and the city. Granting a permit for more rental units at this time is therefore not advised.

Hearing (cont)

Special Permit
Petition #13-2016**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**166 Boulder Drive
Fitchburg MA 01420Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
PolicePublic Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk

AMF

Subject: Special Permit Application (See Attached) Petition #13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016.

For your convenience, you may use the following space to respond:

☒

Approved as submitted

☐Approved with modifications (Please attach list of suggested
modifications) *Special Permit conditions should include
storm water management plan*☐

Disapproved (Please attach list reasons)

Department

DPW

by

(Signature)

Date:

2/5/2016

City of Fitchburg, February 16, 2016

Hearing (cont)

Special Permit
Petition #13-2016



**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**

FITCHBURG CITY CLERK

166 Boulder Drive
Fitchburg MA 01420

16 FEB -5 16 10
Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
Police

(PLG
BD)

Public Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk *AMF*

Subject: Special Permit Application (See Attached) Petition # 13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016.

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016

For your convenience, you may use the following space to respond:

☒ Approved as submitted
☐ Approved with modifications (Please attach list of suggested modifications) *PLS. SEE ATTACHED*
☐ Disapproved (Please attach list reasons)

Department PLANNING BOARD by *Michael J. O'Hara*
(Signature) PRINCIPAL PLANNER

Date: 2/5/2016

Hearing (cont)

Special Permit
Petition #13-2016**CITY OF FITCHBURG
PLANNING BOARD**301 BROAD STREET
FITCHBURG, MASSACHUSETTS 01420(978) 829-1891
PHONE(978) 345-9687
FAX

MEMO

DATE: February 2, 2015**TO:** City Council
City Clerk**FROM:** Michael O'Hara, Principal Planner *M. O'Hara***SUBJECT:** Petition #13-2016
Special Permit
148 Myrtle Ave.
Lemay

At a January 28, 2016 meeting the Fitchburg Planning Board discussed this application. The Board recognizes that this is already a dense area, but they do not want the property to be another abandoned multifamily. As an alternative the Board recommended 6-0 that:

- The structure have less than 4 dwelling units.
- That adequate off-street parking (two per unit) be provided for the number of units and entire driveway/parking area to be paved and striped (to be demonstrated on a submitted plan). Parking only on paved areas.
- That a Special Permit condition be added requiring that the on-site structures be brought up to all current Codes.
- For safety reasons it is also recommended that the barn either be brought up to code structurally or demolished.
- All exterior structures (including windows, porches, and barn) to be updated/repared (i.e. painted and/or sided); and to be maintained in aesthetic condition.
- Lawn/landscaping to be repaired and maintained.
- Exterior improvements to be completed prior to occupancy.
- The Special Permit should not be transferable to any successor in interest without a prior review by the Special Permit Granting Authority.
- It is suggested that the dwelling meet the standards of the Lodging House regulations adopted by the Fitchburg Board of Health.

City of Fitchburg

February 16, 2016



**CITY OF FITCHBURG
OFFICE OF THE CITY CLERK**

166 Boulder Drive
Fitchburg MA 01420

16 FEB -8

Anna M. Farrell, City Clerk
(978) 829-1820
www.fitchburgma.gov

DATE: January 20, 2016

TO: Conservation Commission
Community Development
Treasurer (for tax clearance)
Fire
Health
Police

(PLG)
BD

Public Works Commissioner
Water Deputy Commissioner
Wastewater Deputy Commissioner
Building Commissioner
City Solicitor

FROM: Anna M. Farrell, City Clerk *AmF*

Subject: Special Permit Application (See Attached) Petition # 13-2016

As directed by the City Council, you are respectfully requested to provide a written report, recommendations or information which will be of assistance in processing the request for a Special Permit.

Special Permit Public Hearing to be held on: February 16, 2016

Kindly deliver said report to the City Clerk
no later than Friday, February 5, 2016

For your convenience, you may use the following space to respond:

☐ Approved as submitted
☒ Approved with modifications (Please attach list of suggested modifications) *PLS. SEE ATTACHED*
☐ Disapproved (Please attach list reasons)

Department PLANNING BOARD by Michael J. O'Hara
(Signature) PRINCIPAL PLANNER

Date: 2/5/2016

Hearing (cont)

Special Permit
Petition #13-2016

Hearing (cont)

Special Permit
Petition #13-2016

Hearing opened. Present. Were Mr. Robert Lemay, his attorney Robert Lavoie and his architect Mark Sriver. They stated that they disagree with the ruling of the Building Commissioner that the property was not used for more than 2 years and that if the Special Permit is denied it will deny the property owner of their rights and reduce the housing stock in the neighborhood. Memorandum in support of the application was submitted for the record.

Procedural questions presented were:

-Was the decision of the Building Commissioner correct. If so, are they entitled to a Special Permit. If Special Permit is denied, would petitioner ask the ZBA to review the decision of the Building Commissioner of appeal the decision to Superior Court.

If the decision of the Building Commissioner was wrong then the City Council hearing for a Special Permit is moot. The time frame to appeal to the ZBA may have already passed.

Departmental comments on the application were reviewed.

City Solicitor clarified that "abandonment" means property was no longer used as previously allowed vs. non-use for two years. The criteria to consider in the process is where the property is a redeemable architectural structure.

Architect described past work done on the property.

Attorney strongly disagrees with any condition that the property be used as less than a 4-unit building.

Brief presentation was made displaying the plot plan, neighborhood summary and floor plan of building.

Attorney stated they are amenable to 3 people max per apartment and 1 per bedroom and to taking the barn down to increase parking space.

Speaking in favor of the petition:

1. Melanie Kuykendoll, 145 Myrtle Ave.
2. Edward Lando, 83 Highland Ave.

Speaking in opposition to the petition:

1. Jay Bry, FSU VP Finance and Administration, stating single and 2 family homes and SHOD development should be supported.
2. Vincent Campobasso, stating project is a lodging house.
3. FPD Chief Martineau stating expansion of off campus housing is a drain on police resources.
4. Building Commissioner Robert Lanciani stating building is not worthy unless it is fully sprinkled. Stated it is a boarding house and SHOD regs prevent conversion of multi-families.

Other comments:

1. Michael McLaughlin reiterated the criteria to grant a special permit in the zoning code 181.356 and questioned if economically feasible to obtain \$3,000 in taxes vs education costs of several children.
2. FFD Chief Roy stated it appears to be a rooming house and would need a sprinkler system.

Petition tabled by unanimous vote. 10 members present. Board consists of 11 members.

City of Fitchburg,..... February 16, 2016

Ordinance

ORDINANCES

- 27-2016. Amending Chapter 3, Section 68 of the City of Fitchburg Code as follows:
Delete therefrom: "a majority of the members of the Finance Committee,"
Add in place as follows:
"the signature of the Finance Committee Chair and in his/her absence the City Council President has signing authority, and in his/her absence a member of the Finance Committee has signing authority".
(Reference Petition 214-2015 granted November 5, 2015)

CITY OF FITCHBURG

IN THE YEAR

FITCHBURG CITY CLERK

16 FEB -2 07 31

AN ORDINANCE

Be it ordained by the City Council of the City of Fitchburg, as follows:

Amending Chapter 3, Section 68 of the City of Fitchburg Code as follows:

Delete therefrom:

"a majority of the members of the Finance Committee,"

Add in place as follows:

"the signature of the Finance Committee Chair and in his/her absence the City Council President has signing authority, and in his/her absence a member of the Finance Committee has signing authority,"

Ordinance was passed to a first and second reading and ordered advertised by unanimous vote. 10 members present. Board consists of 11 members.

Petitions

PETITIONS

The following Petition was referred to the Council as a Whole Committee:

28-2016. John M. Deline, Jr., Deputy Commissioner of Water Supply, to approve increases in the minimum monthly charges, water usage rate and miscellaneous charges described in Chapter 177, Article VI, Section 177-15 of the City Code. (Rate/fee increases detailed in petition.)

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

to approve increases in the minimum monthly charges, water usage rate, and miscellaneous charges described in Chapter 177, Article VI, Section 177-15 of the City Code. The rate/fee increases which are proposed by the City of Fitchburg D.P.W. - Division of Water Supply are as follows:

Minimum Monthly Charges (includes usage of 200 cubic feet per month)				
Meter Size	Current Rate	June 1, 2016	June 1, 2017	June 1, 2018
5/8", 3/4", 1"	\$5.34	\$6.25	\$6.75	\$7.09
1-1/2" (1.5")	\$16.80	\$19.66	\$21.24	\$22.31
2"	\$25.20	\$29.49	\$31.85	\$33.45
3"	\$48.00	\$56.16	\$60.66	\$63.70
4"	\$73.60	\$86.12	\$93.01	\$97.67
6"	\$145.20	\$169.89	\$183.49	\$192.67
8"	\$230.80	\$270.04	\$291.65	\$306.24

Water rate to be charged for usage in excess of 200 cubic feet per month				
	Current Rate	June 1, 2016	June 1, 2017	June 1, 2018
Rate per 100 cubic feet (which equals 748 gallons)	\$3.16	\$3.70	\$4.00	\$4.20

Miscellaneous Charges (Only Those Charges Listed Below Are Proposed To Be Increased)		
Service/Inspection/Activity	Current Fee	Proposed Fee
Backflow Prevention Device Testing	\$75.00/test	\$85.00/test
Backflow Prevention Device Re-test after failure	\$50.00/re-test	\$55.00/re-test
Additional services and/or emergency calls outside of regular work hours (regular work hours are: M - F, 7:00 a.m. - 3:00 p.m.).	\$125.00 per hour (one hour minimum), \$62.50 per additional half-hour	\$150.00 per hour (one hour minimum), \$75.00 per additional half-hour
Engineering services/inspections.	\$75.00 per hour	\$100.00 per hour

Respectfully submitted by,

John M. Deline, Jr.

John M. Deline, Jr.

Deputy Commissioner of Water Supply

16 FEB 11 09 24
FITCHBURG CITY CLERK

City of Fitchburg,.....February 16, 2016

Petitions (cont)

The following Petition was referred to a Public Hearing
April 5, 2016 and the Planning Board:

29-2016. Vincent Pusateri, II, Esq, as an individual owning
land to be affected by change or adoption MGL c. 40A
sec. 5, to amend Chapter 181.92 of the Code of the
City of Fitchburg (Zoning) entitled "Board of Appeals"
by striking the words, "At least one (1) member shall
be a member of the Bar".

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

FITCHBURG CITY CLERK

Ladies and Gentleman:

16 FEB 11 11 37

The undersigned petitions your Honorable Body:

To establish an order, ordinance or resolution striking from 181.92 Board of Appeals the
words "At least one (1) member shall be a member of the Bar"

The action would leave the by-law as follows;

181.92 BOARD OF APPEALS

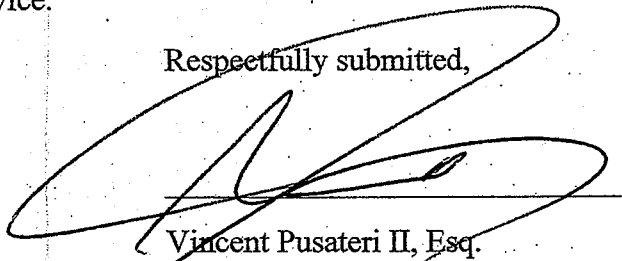
181.921 Establishment. The City of Fitchburg Board of Appeals is hereby designated as the Board of
Appeals required by the Zoning Act of the Commonwealth of Massachusetts. The Board of Appeals shall
consist of five (5) members with two (2) associate members, who shall all be residents of the City of
Fitchburg. ~~At least one (1) member shall be a member of the Bar.~~ Each member shall be appointed by
the Mayor, subject to confirmation by the City Council, for terms of five (5) years and the appointments
shall be so arranged that the term of one (1) member shall expire each year. Vacancies, removals and
other organizational matters shall be governed by G.L. c. 40A, s. 12.

For reason says, the City would benefit by attracting the most qualified candidates for the
offices identified herein by decreasing the impact of their service to the City on employment
opportunities.

For further reason says the by law has already been changed to by striking the requirement
of appointing an architect and civil engineer.

For final reason says the citizenry is better educated and the board has access to the Law
Department for opinions and advice.

Respectfully submitted,



Vincent Pusateri II, Esq.

An individual owning land to be affected by change
or adoption M.G. L. c. 40A sec. 5

Petitions (cont)

The following Petition was referred to the Legislative Affairs Committee:

30-2016. Vincent Pusateri, II, City Solicitor, to designate the positions of Zoning Board of Appeals members as special municipal employees.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentleman:

The undersigned petitions your Honorable Body:

To establish an order, ordinance or resolution designating the positions of the Zoning Board of Appeals as a special municipal employee positions under M.G.L. c. 268A §1(n) entitled CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES, also known as the Conflict of Interest.

In support of this petition the undersigned states that the Conflict of Interest Law makes a distinction between municipal employee and "special municipal employee" for the purpose of analyzing actions, rights and duties under the Conflict of interest Law.

For further reason says, a special municipal employee may be one who is not elected, whose position is classified as such by the City Council, and who either is uncompensated, has a position which permits private employment during the working hours, or works 800 hours per year.

For further reason says, members of the Zoning Board of Appeals have historically and will continue to maintain other employment during while discharging their obligations.

For further reason says, the City would benefit by attracting the most qualified candidates for the offices identified herein by decreasing the impact of their service to the City on employment opportunities.

Respectfully submitted,



Vincent Pusateri II

City Solicitor

FITCHBURG CITY CLERK
16 FEB - 9 15 45

The following Petition was referred to the Legislative Affairs Committee:

31-2016. Vincent Pusateri, II, City Solicitor, to establish an Order, Ordinance or Resolution in accordance with section 40-27 of the Code of the City of Fitchburg entitled, "Designation of Solicitor's Assistant", specifically that the City Council approve FPD Chief Martineau's designation of the Deputy Chief of Police as the Solicitor's assistant.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentleman:

The undersigned petitions your Honorable Body:

FITCHBURG CITY CLERK

16 FEB -9 15 45

To establish an order, ordinance, or resolution in accordance with section 40-27 of the City Code entitled Designation of Solicitor's Assistant, specifically that the City Council approve Chief Martineau's designation of the Deputy Chief of Police as the Solicitor's assistant.

For reason says, that the City would benefit by having the Deputy Chief of Police designated as the assistant of the City Solicitor to determine the scope of the investigations and then assign the appropriate personal.

For further reason says, the Deputy Chief of Police is not a union position so when there is a conflict with the Police Union the Deputy Chief of Police will be impartial.

For final reason says, the Solicitor should be aided by highly trained investigators as designated by the Deputy Chief of Police who are directly supervised by that position.

Wherefore it is respectfully petitioned that you approve Chief Martineau's designation.

Respectfully submitted,

Vincent Pusateri II

City Solicitor

Petitions (cont)

TABLED MATTER

012-16. South Coast Development, 280 Ayer Road, Harvard MA for flammable storage of 35,000 gallons as follows: 26,000 gallons of gasoline and 9,000 gallons of diesel in two underground fuel storage tanks at 487 Princeton Road.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

**ALLOW A LICENSE TO STORE
FLAMMABLE MATERIALS:**

35,000 GALLONS

26 K GASOLINE

9 K DIESEL

BILLING ADDRESS:

SOUTH COAST DEVELOPMENT

280 AYER ROAD

HARVARD, MA

01451

City of Fitchburg,

February 16, 2016

Petitions (cont)



FP-002A
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of FITCHBURG

Application For License

Massachusetts General Law, Chapter 148 §13

☒ New License ☐ Amended License

GIS Coordinates

LAT.

LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 487 PRINCETON ROAD
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: SOUTH COAST DEVELOPMENT

Address of Land Owner: 280 AYER ROAD, HARVARD, MA 01451

Use and Occupancy of Buildings and Structures: GAS STATION / CONVENIENCE STORE

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
1-REG-GASOLINE	1B	20,000	GALLONS	UST
2-SUPER-GASOLINE	1B	6,000	GALLONS	UST
DIESEL	2	9,000	GALLONS	UST

Total quantity of all flammable liquids to be stored: 35,000

Total quantity of all combustible liquids to be stored: 0

Total quantity of all flammable gases to be stored: 0

Total quantity of all flammable solids to be stored: 0

Petitions (cont)

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: _____
List sizes and capacities of all aboveground containers used for storage: _____

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____
List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: _____

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, CAROLYN A. PARKER hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Carolyn Parker Date 11/30/15 Name CAROLYN A. PARKER

Fire Department Use Only

I, St. Phil Jordan, Head of the Fitchburg Fire Department endorse this application with my
☒ Approval ☐ Disapproval

Signature of Head of the Fire Department St. Phil Jordan FPB Date 12-4-2015

Recommendations: _____

City of Fitchburg, February 16, 2016

Petitions (cont)



FP-002
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of FITCHBURG

License

Massachusetts General Law, Chapter 148 §13

☐ New License ☐ Amended License

After notice and hearing, and in accordance with Chapter 148 of the Mass. General Laws,
a license is hereby granted to use the land herein described for the purposes described.

Location of Land: PRINCETON ROAD
Number, Street and Assessor's Map and Parcel ID
Owner of Land: SOUTH COAST DEVELOPMENT
Address of Land Owner: 280 AVER ROAD, HARVARD, MA 01451

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases. All tanks and containers are considered full for the purposes of licensing and permitting. (Attach additional pages if necessary.)

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
1-REG GASOLINE	1B	20,000	GALLON	UST
2-SUPER GASOLINE	1B	6,000	GALLON	UST
DIESEL	2	9,000	GALLON	UST
TANK 2- COMPARTMENTALIZED				

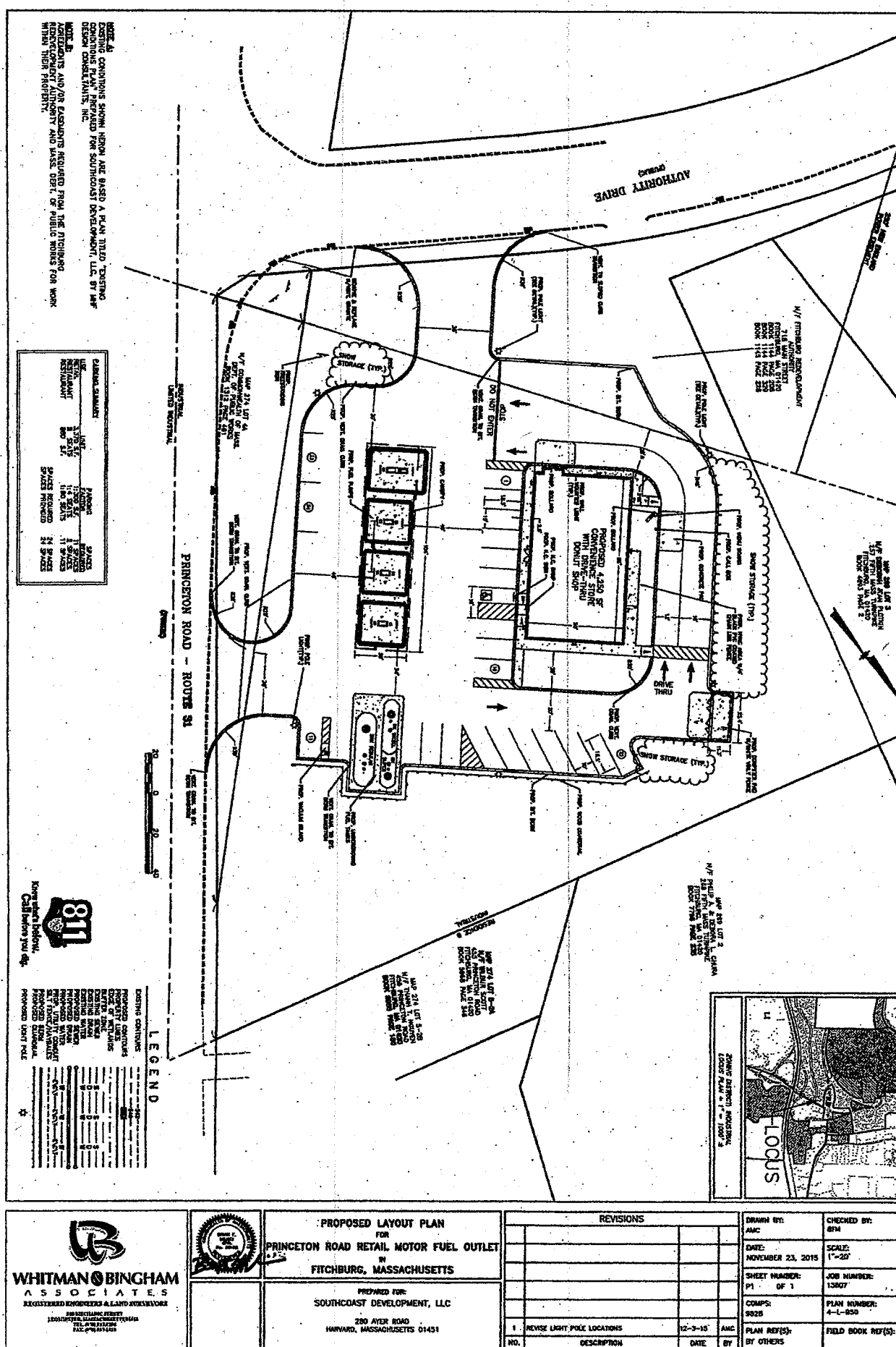
LP-gas (Complete this section for the storage of LP-gas or propane) N/A

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: _____
List sizes and capacities of all aboveground containers used for storage _____
- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____
List sizes and capacities of all underground containers used for storage _____
- Total aggregate quantity of all LP-gas to be stored: _____

Fireworks (Complete this section for the storage of fireworks) N/A

- ❖ Maximum amount (in pounds) of Class 1.3G: _____
- ❖ Maximum amount (in pounds) of Class 1.4G: _____
- ❖ Maximum amount (in pounds) of Class 1.4: _____
- Total aggregate quantity of all classes of fireworks to be stored: _____

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY
POSTED ON THE LAND FOR WHICH IT IS GRANTED.



Explosives (Complete this section for the storage of explosives) *N/A*

- | | |
|--|---|
| ❖ Maximum amount (in pounds) of Class 1.1: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.2: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.3: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.4: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.5: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.6: _____ | Number of magazines used for storage: _____ |

Licensing Authority Use: *N*

This license is granted upon the condition that the licensed activity will comply with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts General Law, Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00) as amended. The license holder may not store materials in an amount exceeding the capacities herein specified unless and until any amended license has been granted.

ADDITIONAL RESTRICTIONS:

Signature of Licensing Authority	Title	Date
----------------------------------	-------	------

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.

City of Fitchburg,

CAROLYN A. PARKER
CONSULTING

FITCHBURG CITY CLERK

December 30, 2015

16 JAN -4 11 09

City of Fitchburg
166 Boulder Drive
Fitchburg, MA 01420

Attn: Ms. Deb Vilandry
City Clerk/ City Council

New England Farms
487 Princeton Road
Fitchburg, MA 01420
Delivery: In Person

Dear Ms. Vilandry,

The plot of land located at 487 Princeton Road has been purchased by Southcoast Development, LLC, 280 Ayer Road, Harvard, MA 01451. They are proposing to build a gas station and 4,250 square foot convenience store with a drive thru donut shop. They were approved by the Zoning Board on December 8, 2015 but due to an error in abutter notification they need to be heard again on January 19, 2016. They were heard before the Planning Board on December 15, 2015 and need to make a few minor modifications to the plans for approval. We wish to be scheduled to be heard by the City Council at their next meeting to obtain a License for the storage of 35,000 gallons of gasoline/diesel. The owner will install (2) two Underground Fuel Storage tanks; (1) 20,000 gallon gasoline and (1) 15,000 gallon tank 6K gasoline/9K diesel split tank. Enclosed please find the following in support of our application:

- (1) One copy of the Petition to City Council
- (1) One copy of the Application for License
- (1) One copy of the License (for use if we are approved)
- (1) One copy of the Site Plan - 8 1/2" x 11"
- (1) One copy of the Fire Suppression Plan - 8 1/2" x 11"
- (1) One copy of the Certified List of Abutters

Please review the enclosed information and let me know when we will be heard before the City Council. The owner, Mickey Higgins, or I will be in attendance at the meeting, it is my understanding that your office will do the abutter notifications via certified mail and publish the legal ads in the newspaper and invoice us for the cost. If you have any questions or require additional information please do not hesitate to call me at (774) 239-2781. Thank you in advance for your time in helping to expedite this matter.

Sincerely,


Carolyn A. Parker

Cc: Southcoast Development
File

SPECIALIZING IN THE PETROLEUM INDUSTRY
Project Management, Permit Expediting, Drafting & Fire Suppression Plans

3 Lorion Avenue, Worcester, MA 01606 • Tel: 508-853-1167 • Fax: 508-853-1176 • Cell: 774-239-2781 • capconsulting@verizon.net

Petition was taken from the table and granted by unanimous vote.
10 members present. Board consists of 11 members.

The meeting adjourned at 9:40 P.M.


Anna M. Farrell, Clerk